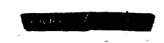
OU#4 RI DISPUTE U.S. DOE - FERNALD OH6 890 008 976

1-04-91

USEPA/DOE-FMPC 1 LETTER



## UNITED STATES ENVIRONMENTAL, F. REGION 5 230 SOUTH DEARBOR CHICAGO, ILLINOIS



1175

JAN 0 4 1991

Mr. Andrew P. Avel United States Department of Energy Feed Materials Production Center P.O. Box 398705 Cincinnati, Ohio 45239-8705

REPLY TO ATTENTION OF 5HR-12

RE: OU#4 RI Dispute U.S. DOE - Fernald OH6 890 008 976

Dear Mr. Avel:

The United States Environmental Protection Agency (U.S. EPA) acknowledges the receipt of the United States Department of Energy's (U.S. DOE) December 20, 1990, letter initiating dispute resolution. U.S. DOE disputed U.S. EPA's December 7, 1990, disapproval and Notice of Violation (NOV) that imposed stipulated penalties for a deficient Remedial Investigation (RI) Report for Operable Unit #4.

As you are aware, the dispute resolution process is defined in Section XIV of 1990 Consent Agreement. Section XIV.B allows for thirty (30) days of informal dispute resolution to attempt to resolve the dispute. In this case, the thirty day period started with U.S. EPA's December 7, 1990, disapproval and NOV.

U.S. DOE has not initiated any informal dispute resolution discussions regarding this matter. Please inform U.S. EPA if U.S. DOE intends to initiate any discussions prior to raising the dispute to the Dispute Resolution Committee. The dispute ends unless it is raised to the Dispute Resolution Committee prior to thirty days from U.S. EPA's disapproval and NOV.

Please contact me at (312/FTS) 886-4436, if you have any questions.

Sincerely,

Catherine A. McCord Remedial Project Manger

cc: Richard Shank, OEPA

Graham Mitchell, OEPA-SWDO Leo Duffy, U.S. DOE - HDQ Joe LaGrone, U.S. DOE - ORO Bobby Davis, U.S. DOE - Fernald

amclo

\_\_\_\_

Printed on Recycled Paper